

SUB
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(d) connecting the calling communication station and the called communication station in response to the override signal and without requiring the calling party to provide caller identification information.--

A3

—58. (New) The method of claim 57, wherein the override signal comprises a pin number.—

—59. (New) The method of claim 57, wherein the override signal comprises a pin number.—

REMARKS

In the Office Action, the Examiner rejected Claim 7 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter that Applicants regard as the invention. Specifically, the Examiner asserted that there was insufficient antecedent basis for the term “the name of the present service.” Claims 7 and 29 have been amended to remove the phrase objected to by the Examiner.

Claims 1-16, 18, 21-32, 34-39, and 41-45 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Yaker et al. In rejecting these claims, the Examiner asserted that Jones et al. discloses all of the elements recited in Claims 1 and 30 except for transmitting audible caller identification information to the calling communication station. To overcome this deficiency, the Examiner asserted that Yaker et al. discloses transmitting audible identification information to the calling communication station. The Examiner further asserted

that it would have been obvious to modify the disclosure of Jones et al. to utilize the teachings of Yaker et al.

Even assuming that Jones et al. and Yaker et al. could be properly combined, Claims 1-4, 6, 9, 12, 15, 30, 31, 38, and 45 are patentable of the proposed combination. Claims 1-4, 6, 9, 12, 15, 30, 31, 38, and 45 each recite a feature, “*transmitting a request for audible caller identification information to the calling communication station*,” that is not disclosed by Jones et al or Yaker et al. While Jones et al. discloses transmitting a message to the caller, Jones et al. does not disclose transmitting a request for audible caller identification information. Moreover, Jones et al. does not disclose receiving audible caller identification information from a caller. Jones et al. only discloses that after receiving a message, the caller can “key in an override indication” which enables the “caller station telephone number” to be provided to the called customer. (col. 4, lines 41-50). Therefore, Jones et al. does not disclose transmitting a request for audible caller identification information to a calling communication station as recited in Claims 1-4, 6, 9, 12, 15, 30, 31, 38, and 45.

Likewise, Yaker et al. does not disclose transmitting a request for audible caller identification information to a calling communication station. First, Yaker et al. does not disclose transmitting any requests to a calling telephone station or receiving any audible caller identification information from a caller. Yaker et al. only discloses obtaining textual caller identification information from a database. (col. 7, lines 45-51) No audible caller identification information is received from a caller. Second, while Yaker et al. generally discusses providing audible caller information to a called party, that audible information is converted from a textual version of a calling party’s name, which is retrieved from a stored list of names or a database, using a text-to-speech conversion unit. (col. 7, lines 28-65). Again, no audible caller

identification information is received from a caller. Therefore, Yaker et al. does not disclose transmitting a request for audible caller identification information to a calling communication station as recited in Claims 1-4, 6, 9, 12, 15, 30, 31, 38, and 45.

Accordingly, even if Jones et al. and Yaker et al. could be properly combined, Claims 1-4, 6, 9, 12, 15, 30, 31, 38, and 45 are patentable over the cited combination. Because Claims 5, 7, 8, 10, 11, 13, 14, 16-29, 32-37, and 39-44 depend from Claims 1-4, 6, 9, 12, 15, 30, 31, 38, and 45, they are also patentable for at least these reasons.

Moreover, with respect to Claim 8, neither Jones et al. or Yaker et al. discloses (1) recording audible caller identification information that is transmitted from the calling communication station and (2) automatically transmitting that information to a called communication station. The message system disclosed in Yaker et al. may record information, but it does not automatically transmit audible caller identification information to a called communication station as recited in Claim 8. Claim 8 is patentable over Jones et al. and Yaker et al. for this reason as well.

With respect to Claims 9-11, neither Jones et al. or Yaker et al. discloses connecting a calling communication station and a called communication station after determining that a human answered the call as recited in Claim 9. Claim 9 is patentable over Jones et al. and Yaker et al. for this reason as well.

Claims 17, 33, and 40 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Yaker et al. and further in view of Popke. Because Claims 17, 33, and 40 depend from Claims 15, 31, and 38, respectively, they are also patentable for at least the reasons stated above. Moreover, Popke cannot be properly combined with Yaker et al. The system described in Popke is used to confirm that caller identification information is being blocked as

requested by a caller. The system provides the caller with a confirmation that his caller identification information is not being displayed to a called party. (col. 9, lines 24-39) This is contrary to the purpose Jones et al., which seeks to prevent calls for with the caller ID information has been blocked from going through to a called party. (col. 4, lines 38-41) Accordingly, if the disclosure of Jones et al. were combined with the disclosure of Popke, it would render Jones et al. unsuitable for its intended purpose.

Claims 19-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Jones et al. in view of Yaker et al. and further in view of Dai et al. Because Claims 19 and 20 depend from Claim 15, they are also patentable for at least the reasons stated above. Moreover, because these references cannot be properly combined, Claims 19 and 20 are patentable for this reason as well.

Regarding new Claims 46-59, as described above, none of the references cited by the Examiner disclose transmitting a request for audible caller identification information to a calling communication station as recited in Claims 46 and 57. Accordingly, Claims 46 –57 are patentable for at least the reasons stated above.

With respect to Claims 46-56, none of the references cited by the Examiner disclose transmitting a request for audible call identification information to a calling communication station, determining if a human is available at the called communication station to answer the call, and transmitting audible caller identification information to the called communication station if a human is available to answer the call as recited in Claim 46. Therefore, Claims 46 and Claims 47-56, which depend from Claim 46, are patentable for this reason as well.

Regarding Claims 48-50, none of the references cited by the Examiner disclose transmitting a request to the called communication station that requests an input to signify that a

human is available to answer the call as recited in Claims 48-50. Claims 48-50 are patentable for this reason as well.

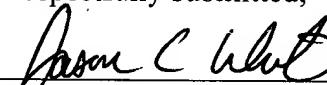
Regarding Claim 51, none of the references cited by the Examiner disclose recording audible caller identification information that is transmitted from the calling communication station as recited in Claim 51. Claim 51 is patentable for this reason as well.

Regarding Claims 57-59, none of the references cited by the Examiner disclose transmitting a request for audible call identification information to a calling communication station, receiving an override signal, and connecting a calling communication station with a called communication station in response to the override signal and without requiring the calling party to provide caller identification information, as recited in Claim 57. Claim 57 and Claims 58 and 59, which depend from Claim 57, are patentable for this reason as well.

In view of the above amendments and remarks, Applicants submit that this case is in condition for allowance. If the Examiner feels that a telephone interview would be helpful in resolving any remaining issues, the Examiner is respectfully invited to contact Applicants' undersigned attorney.

Respectfully submitted,

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